MEMORIAL

—OF—

LT. COL. BARWIS

IN SUPPORT OF HIS PETITION AS STIPENDIARY MAGISTRATE IN THE NORTH-WEST TERRITORIES, WITH PETITION OF INTENDING SETTLERS.

"LA CONCORDE" PRINTING OFFICES

THREE RIVERS

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MEMORIAL

The Memorial of Lt. Col. Barwis, joint Prothonotary of the Superior Court for the district of Arthabaska, in the Province of Quebec, in support of his petition for the appointment as a stipendiary Magistrate in the North West Territories and for an apportionment of lands for settlers,

Respectfully represents that in the year 1869 the memorialist addressed a letter to the Right Honorable Sir John A. Macdonald the following of which is a copy :

St. Ferdinand,
County of Megantic, Quebec,
September 3rd, 1869.

Sir,—I have the honor to inform you that, as I do not know who are the proper authorities to make the following proposal and offer, I therefore address myself to you, as the head of our Dominion Government.

No doubt you are well aware, that a perfect mania exists in these townships lately to emigrate to the United States.

It is not, I am sure, for any love for the stars and stripes; or any wish to leave the old flag, but for the mere purpose of bettering their condition by seeking a new field, and under the supposition that they will do so,

I think the epidemic (if I may so term it) may be turned to our own western possessions.

The Government having lately acquired the Hudson Bay Territory and having held out inducements for settling that Country. I have lately taken every opportunity of mentioning those facts to all my friends and men who have served under me; firmly believing that the Territory in question is the best place for our young men to emigrate to,and that they would be the best adapted for settlers, on account of the similarity of the climates, and if a commencement is once made, those in future who leave these townships would naturally follow after.

Moved by these facts, as well as my own desire and settled intention to proceed to the Red River Territory under any circumstances, I am induced to make the following offer.

I will undertake to raise five hundred men or more who will be ready to leave as soon as the necessary arrangments can be made to send them, should this offer be accepted.

They are all Township bred and born, chiefly young men of over twenty years, well used to a back woods life, and many of whom are good artisans as well, in fact there is not one among them who cannot build a bridge, house, or make a canoe or any thing that is necessary for a new settler.

The greater number of them have been and still are, under my command as Lt. Col. commanding the 55th Battalion of volunteer militia, and to my knowledge are possessed of some means, necessary to commence as new settlers when once on the ground, at the same time it will require some assistance to undertake the expensive journey to Red River.

I therefore have the honor to ask you if the Government will be willing to give them a free grant of land (in one locality if possible no matter how far, from any other settlement, as we are perfectly prepared and well able to make a community of our own if necessary) and a free passage.

At the same time, if the Government would accept

us as volunteer Battalion we will be happy to do so, and will be found ready (as we always have been) to turn out at any moment in the defense of our Country.

I am forty two years of age, a first class military school cadet, a first class cavalry certificate from the 13th Hussars, together with the experience of having commanded these back woods men for thirteen years, an advocate by profession and pledge myself to produce the signature of 500 men to emigrate to Red River as aforesaid.

We hope that the Government will think favourably of this and take into consideration that the most of the men who offer to go have served from one to thirteen years in the volunteer force and will grant their prayer.

This application was favourably regarded by the right Hon. Sir John A. Macdonald, and after corresponding with the Hon. Wm. McDougall who had just been appointed Lieutenant-Gouvernor of the North West Territories, I proceeded to Ottawa, and had an interview with some of the members of the Government and the Hon. Wm. McDougall. As the Government was not in a position then, to undertake the expense of a free passage for the settlers referred to in the above application, we came to the understandig that I should proceed with five or six representatives from our farmers as soon as possible, and that on our arrival at Fort Garry, Lt. Governor McDougall would provide us with necessary instructions and assistance, in choosing a locality for settlement. I parted with the Hon. Wm. McDougall at Prescott, he, on his way to the North West, and I returning home to make preparations to follow him, and I was on the eve of starting when we heard of Riel's resistance to Dominion authorities which of course put a step to our journey.

The following is the copy of a letter from the late Hon. David Price to the Hon. McDougall:

QUEBEC, Oct. 1869.

My dear Mr. McDougall,

I hear from Mr. Barwis that he has undertaken to raise a body of 3 or 500 young men in the E. Townships

of the Province of Quebec to take out to the North West.

I have much pleasure in recommanding Mr. Barwis' undertaking to your kind notice and support and have no hesitation in saying that he can secure that number or more if you require, and the government could not have chosen a more proper and enterprising man to undertake the work.

It is a happy thing that the Government give the chance of saving these young men to Canada, or if you do not take them they are all sure to leave within a very short time for the states. They unfortunately do not agree with the French Canadians who are surrounding them on all sides in these townships and are all leaving for the States.

I feel certain that all you can do for Mr. Barwis and his party will be worthy of your support, and that you will find the bone and sinew for the opening of a new country in these men.

Wishing you happiness and success in your new career.

Believe me,
Yours very truly,
DAVID E. PRICE.

HON. WM MCDOUGALL,
Lt. Governor N. W. Territories.

That subsequently in the year 1875 the memorialist forwarded the memorial to His Excellency the Right Hon. the Earl of Dufferin &c., &c., &c., Governor General of Canada praying for an appointment in the North West.

As the Government was not then making any such appointment your petitioner received the usual acknowledgement of his memorial.

That in the month of April last moved by the glowing accounts from the memorialist's eldest son and from several leading persons settled at Calgary and in the adjoining Ranches in the Distric of Alberta of that portion of the North West, and that it would soon be neces-

sary to provide for the administration of justice in that section, the memorialist was again induced to make another application for the appointment of stipendiary magistrate having at the same time in view the establishment of a settlement of his friends who have ever since the first application been urging him to undertake it again, and which would necessitate the resignation of the memorialist's position as Prothonotary which he could not do without obtaining an equivalent.

The following is a copy of the petition :

To His Excellency the Right Honorable Sir John Sutherland Douglass Campbell Marquis of Lorne, &c., &c., Governor General of the Dominion of Canada.

The memorial and petition of Thomas S. Barwis, joint Prothonotary, Clerck of the Crown, Clerk of the Peace and Clerk of the Circuit Court for the District of Arthabaska, in the Province of Quebec and Lieut.-Colonel in the militia.

Most respectfully sheweth that your memorialist and petitioner's father and grand father were naval officers in the British service and settled in upper Canada previous to the last American war as naval volunteers, the one in command of a war vessel, the other as a midshipman, rendering important service as may be ascertained on reference to the public records

That your memorialist and petitioner has been six years afloat, two years at sea, and four years on the St. Lawrence commanding a large steamer at the age of twenty-three.

That subsequently he settled in the Eastern Townships of the Province of Quebec, and acquired a great deal of experience in a back woods life in the county of Megantic, where he held several public offices of importance and trust and having been called to the Bar he practiced for a number of years before his appointment, as Prothonotary of the Distrisct of Arthabaska, since which he has continued and kept up his knowledge of the criminal law in his capacity as clerck of the Peace by conducting all actions before the Sherif and District

Magistrate, as well as by the exercise of the judicial functions imposed upon him by law, in the absence of a judge from the District out of terms, which functions in the District of Arthabaska, are of great importance and require considerable knowledge and experience as all the judges coming to the District have certified.

That your memorialist and petitioner raised the 55th Battalion of Volunteer Militia in the County of Megantic, he commanded for a number of years and was called out several times on active service. That he holds first class infantry and cavalry certificates, the latter containing very special remarks, as to qualification and efficiency, by the officer commanding Her Majesty's 13th Hussars.

That your memorialist speaks and writes both the english and french languages.

That seeing the experience your memorialist and petitioner has acquired in new settlements, his knowledge of the manners and customs of different nationalities, together, with his naval, military and legal knowledge, he deems himself fully competent to fill the position of Stipendiary Magistrate in the North West Territories.

(Signed,)
THOS. S. BARWIS

Arthabaskaville, April 1883

This last memorial and petition was supported by certificates of Judges of the Superior Court for the Province of Quebec, who have on various occasions held the courts at Arthabasville, as well as from those who were personally acquainted with the memorialist. The following are copies of some of them :

From the Hon. H. E. Taschereau, Judge of the Supreme Court.

" I have been in a position, on various occasions, as a judge of the Superior Court for the Province of Quebec, before I came to the Supreme Court of Canada, to notice

the efficiency, intelligence and integrity, which characterize Mr. Thomas Barwis of Arthabaska in the discharge of his duties as a high public officer connected with the administration of Justice in that Province, and I have therefore no hesitation to certify that 'he would in my opinion, most effectually fill the position of a Stipendiary Magistrate in any part of the Dominion."

OTTAWA, March 30th 1883.

I know Thomas Barwis, Esquire, and have known him for many years as a Barrister, Prothonotary and Clerk of the Crown and Peace, and I consider him well qualified in every way to perform the duties of stipendiary Magistrate.

(Signed,) E. T. BROOKS, J. S. C.

Dear Sir,—From the knowledge I have had of your ability as a lawyer, and also as a public officer in the responsible positions you have held such as Prothonotary, Clerk of the Crown and Peace, I have no hesitation in expressing my belief, that you would with credit to yourself and honor to your country, fill the position of Stipendiary magistrate in the North West Territories, if appointed to that office.

You can use this letter as you deem fit.

I am, Dear Sir,

Yours very truly

(Signed) HENRI T. TASCHEREAU,
J. S. C.

Mr Barwis,

Sir,

In answer to your note of the 28th ult. I have no hesitation in saying that I consider you competent to fill efficiently the position of Stipendiary magistrate to which you aspire and refer.

Very truly, etc

(Signed) M. DOHERTY,
J. S. C.

My Dear Sir.—I received on the 3rd inst your favor informing me that you were on applicant for an appointment as Stipendiary Magistrate in the North West. I have known you for many years both as a practising lawyer and as Prothonotary of the Superior Court dispensing justice in the Judicial District of Arthabaska, and it gives me great pleasnre to say from my knowledge of you that I am of opinion you would discharge the office you seek with advantage to the public and credit to yourself, hoping you may succeed in your desire and have many years of enjoyment before you.

Believe me yours faithfully.

(Signed) A. STUART, J. S. C.

Dear Sir.—In compliance with your request contained in your letter of the 28th March, I willingly certify that I have known you now for several years as a Barrister, Prothonotary, and Clerk of the Crown and of the Peace, and that I believe you fully competent to fill the position of Stipendiary Magistrate in the North West Territories, with best wishes of your success.

I remain,

Yours truly,

(Signed) W. McCORD, J. S. C.

Quebec, 4 April 1883.

My Dear Sir.—I have your letter of the 29th of last month. It has been my good fortune to have known you for a long time as a soldier, when we both served in the volunteer militia. And also as Prothonotary and clerk of the Crown and Peace and I have much pleasure in stating that in my opinion you are competant and the right style of man to make a good Stependiary Magistrate in the North West Territories.

Yours truly,

(Signed) R. ALLEYN, J. S. C.

The above memorial was presented by D. O. Bourbeau, Esquire, member of the House of Commons for Drummond and Arthabaska and received an official acknowledgment; at the same time I was informed that there was only one vancancy and that arrangements had been made to fill it prior to the presentation of my memorial.

I fully expected that the appointment the Government was about to make would have been settled before my memorial was sent in, my object was to be in time for any appointment hereafter to be made in the District of Alberta.

Last summer a member of the British Canadian inhabitants of the County of Megantic informed me that they were determined to leave and some of them were decided to abandon their farms if they could not sell rather than remain, for several reasons, and one of the chiefest now becoming apparent to them that their clergy would have to leave, as the different denominations were becoming too few to support them, that therefore, they appealed to me to make another attempt to get a block of land for a settlement in the North West.

I therefore forwarded the following petition together with a petition signed by a large number of the inhabitants of the said county, the following of which is a copy:

To His Excellency the most Honorable The Marquis of Lansdowne, Governor General of Canada.

The Petition of Thomas S. Barwis, respecfully sheweth:

That your petitioner has recently made an application for an appointment as Stipendiary Magistrate in the North West Territories.

That your petitioner several years ago made an application for a land grant in the North West for himself and a number of others who were desirous of establishing a settlement in that region and that such application was then favorably looked upon by the Government headed by the Right Honorable Sir John A. MacDonald, but that the troubles at Red River prevented the execution of the proposed plan.

That now your petitioner and a large number of others from the County of Megantic and elsewhere are desirous of removing from the Province of Quebec and intend to do so shortly.

That the majority of these persons would have gone to the United States had they not been deterred by your petitioner who held out hopes to them of an arrangment with the Government for settlement in the North West, which has prevented a great number from leaving before this time, but these people are now decided to leave before long and will undoubtedly go to the United States, unless the Government grant them an advantageous arrangement for settlement in the Canadian North West Territories more especially in the vicinity of Calgary.

That these people desire to form a settlement together in the same vicinity and that if the Government were disposed to grant them lands in one block, as near as possible, your petitioner is convinced that a great number would accompany him who would otherwise go to the United States.

A great number of the proposed settlers served under your petitioner when Lt. Col. commanding the 55th Bataillon of V. M. and having known and had dealings with your petitioner for a number of years as an advocate and otherwise as may be seen by their petition forwarded herewith.

Your petitioner therefore prays that you may be pleased to take into your favourable consideration this application and select land grants for them, at some convenient locality in the vicinity of Fort Calgary in the District of Alberta.

And your petitioner as in duty bound will ever pray.

(Signed) THOMAS BARWIS,
Lt. Col. and Prothonotary
of the District of Arthabaska
Prov. of Quebec.

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To His Excellency the most Honorable the Marquis of Landsdowne, Governor-General of Canada.

The petition of the undersigned inhabitants of the County of Megantic, Province of Quebec, respecfully sheweth.

That your petitioners have been informed that Lt. Col. Barwis is making an application for a position and land grant in the North West in the vicinity of Fort Calgary.

That your petitioners are desirous of leaving the Province of Quebec and intend to do so shortly to go to the United States or elsewhere.

That if Lt. Col. Barwis could make satisfactory arrangements with the Government for land grants in the same vicinity as much as possible, your petitioners would be prepared to fulfill all the settlement duties required and would proceed, as soon as convenient, to settle in the North-West.

(Signed)	James Reed,	Robert Rickaby
	Jeremiah Rickaby,	R. W. Rickaby
	Albert Rickaby,	John Henry Rickaby
	William Rickaby,	William I. Rickaby
	William T. Rickaby,	Thomas Rickaby
	Andrew Patterson,	Mathew Patterson
	Andrew T. Patterson,	Thomas Alexander,
	James Miles,	Peter Duff
	James Gunston,	J. H. Rickaby
	George Abbott,	C. J. Messenger
	Richard Messenger,	Richard Watts
	Jonathan Watts,	James Sharpe
	Richard Sharpe,	Robert Frizzell
	William R. Sharpe,	William Larmouth
	William Thompson,	George Murray
	William Alexander,	Andrew Cochrane
	John Murray,	Ernest Rickaby
	Joseph Cochrane,	James Wark
	George Wilson.	

Province of Quebec
DISTRICT OF ARTHABASKA.

ROBERT RICKABY, farmer of the Township of Inverness, being duly sworn upon the Holy Evangelists doth depose and swear that he was personally present and did see the above petition signed by the persons named therein and further deponent saith not and hath signed.

Sworn before me at Inverness this 11th day of July 1883. (Signed) ROBERT RICKABY.

(Signed) JAMES REED, J. P.

Signatures from the Township of Ireland in the County of Megantic to the same petition.

A. Kennedy, W. J. Byme, William Lynaugh Thomas Mitchel, James Lynaugh, Chs. S. Peniston, J. S. Larochelle, J. R. Paradis, Thomas Audet, Antoine Goulette, Joseph Patry, James Burns Sr, James Burns, Jr, Patrick McCaffrey, Michael Burns, C. H. Lafleur, Patrick Griffin, James Murphy, Joshua Hough, John T. Hough, James McKnight, William D McKnight, Richard A. McKnight, Thomas McKnight, Burns E. McKnight, Peter McDonald, William H. Cross, Richard W. Cross, Herbert D. Cross, Frederick H. Cross, James Mitchell, Robert Mitchell, Halli Bennett, John S. Hull, Luke A. Hull, Honoré Simoneau, James H. Mitchell, Phillip Dauture, John McLean, William G. Stuart Thomas J. Stuart, Joseph G. Stuart, Ferdinand Daigle, John Porter, Frank Fréchette, Patrick McNally, Samuel McNally, Foss McNally, James Dinning, Fitz Mitcalf, Ainsly McLean, W. Ths. Cross, Mulbary Cross, George Cross, Ferd. Lamontagne, David Simons, John Simons, HenrySimons, Flavien Lamontagne, Allan McLean, E. T. Fréchette, Andrew Gosselin, Cyrus W. Hall, Arnos A. Hall, Francis

Annesly, Henry Annesly, James H Bennett, George Wilson, Henry F. Goff, Siméon Larochelle, John David, Lazare Daigle, Henry Stocton, Abram Blondeau, Gaudias Ratté, Calus Ratty, Joseph Bordeleau, Isaac Daigle, Abraham Guimond, Xavier Boucher, Xavier Fréchette, Rémi Lachance, William Aldrich, Thomas R. Porter, James Thorn, Charles L. Bennett, George Rondeau, Calixte Fréchette, Lyman Amadon, George Smith, Alexander Smith, Charles Annesly, James Amadon, Henry Amadon, Henry Amadon, Henry Lord, Gilbert Kirwan, Samuel Jamison, John Annesly, Joseph Kelly, Charles Murphy, Edward Carey, John Carey jr., John Carey sr., Edward Brown, Owen O. Mallu, James Pidgeon, Patrick Pidgeon, John Pidgeon, Thomas Hey, Hugh Filget, Denis McCaffery, James Sealy.

I, Charles H. Peniston, declare that the above signatures are all in the hand writing or put down with consent of the parties and at their request and I make this solenm declaration conscientiously believing the same to be true ; and by virtue of the act passed in the thirty seventh year of Her Majesty's reign entitled " An act for the suppression of volontary and extrajudicial oaths."

(Signed,) CHS. H. PENISTON.

Taken and declared before me at Arthabaska District of Arthabaska Province of Quebec, this 22nd day of May 1883.

(Signed,) P. J. BLANCHAD,
Commissioner of the Superior Court for the Province of Quebec and for the District of Arthabaska.

The following signatures were taken by William J. Porter, Esquire of North Ireland in the County of Megantic, of residents in the north parts of the township of Ireland part of Leeds and part of Inverness and are genuine although Mr. Porter, forgot to affirm his solemn declaration.

[Signed,] William J. Porter, Samuel J. Porter, John Moore, Sen., Françis W. Whight, Samuel S. Thurber, William John Thurber, Robert Ashcropt, Thomas Mc-

Kenzie Hogg, James O'Brien Senr, William Bernet, Isaiah Mathews, William Mathews, William Edward, Robert Moore, John Moore, John Williamson, Thomas Davidson, Edward Bracken, William Moore, John Moore, James Robertson, David Moffat, J. B. Thurber, John Warh, Benjamin G. King, Samuel J. Briggs, John Henderson, Hamilton Watson, Sam. J. Johnston, Thomas Care, R. J. Briggs, John Hough, Robert Kerr, Aaron Kimball, H. I. C. Kimball, Henry Thomson, jr., John Arnold, Joseph Gallagher, Thomas Maxwell, John Sims, Joseph McIntyre, P. G. Carroll, W. D. Johnston, W. Mooney, G. W. Moore, Robert, J. Hill, John McKillop, George T. Little, Donald McMillan, William Steele, James McCammon, Charles O. Thad, Albert Kennon, James, Bracken, William McIntyre. Henry Henderson, James Demfrey, Robert McCullough, Henry R. Mooney, Benjamin Wright, John Grime, John George, Nathaniel Tumthin, S. A. Kinner, Felix Mills, James Wright, Samuel Wark, Michael McKeough, Edwin A. Goff, J. A. McKenzie. William McKenzie, John Lawry, Hamilton Lawry, William T. Right, Thomas McKenzie, I. H. Anderson, Geo. Arkley, Ed. Bailey, Thomas H. Porter, George Bailey, Henry Mathews, David M. Jamison, Samuel Jamison, Joseph Forbes, Joseph C. Forbes, Samuel J. B. Forbes, Robert Watson, John F. Watson, George Little, Robert Johnson, Joseph Marshall, J. A. Marshall, William Wercup, Wm. Jamison, James, McElreavey, Frederick Wight, Hugh Meahan, John Brown, R. Marshall, Benjamin Wight, William Wight, William Jamieson, W. J. Ward, William J. Johnson, Alfred Ward, George Davidson, Thomas Wilson, John Bennett.

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The following comparison of the population of the County of Megantic, is taken from the first census up to the last, together with the civil statistics of births and deaths for the last twenty years, which as Prothonotary of the district of Arthabaska are deposited in my office.

Year	*Total*	*R. Catholic*	*Protestant*	*F. Canadian*	*B. Canadian*
1827	626				
1831	2,676	343	2,333		
1844	6,753	3,366	3,387		
1851	13,835	9,876	3,959	8,423	5,412
1861	17,889	12,843	5,046	11,161	6,728
1871	18,879	13,813	5,066	12,074	6,805
1881	19,056	13,961	5,095	12,960	6,095

It will thus be seen that the english speaking population since 1871 have decreased 709.

The number of births and deaths of the different protestant denominations are as follows in the only townships where registers are kept.

	Births	*Deaths*	*Births over Deaths*
Township of Leeds....	1678	491	1187
" Inverness.	841	301	540
" Ireland...	1016	248	768
			2495

After deducting the total deaths from total births leaves 2495 which added to the number of protestants in 1861, to wit, 5046 would give a total of 7541, what the protestant population ought to be, had they all remained;

therefore, after deducting the number by the last census 5095 from the above total of 7541, it would leave 2446 that have left the county in the last twenty years, chiefly for the United States, a great many of whom have communicated with the memorialist, who, would be ready to join a settlemont from Megantic in the North West Terries.

After having a conversation with the reverend E. C. Parkin, a minister of the Church of England, Rector of Nicolet and Secretary of the Young Mens' Emigration Association of London, England, I wrote to him to obtain their cooperation in inducing emigrants to join us in the North West, and received the following answer.

THREE-RIVERS, Quebec, Canada, August 1st 1883.

Lt. Col. Barwis,

Athabaskaville, P. Q.

MY DEAR SIR,

Accept my thanks for your favour of the 31st ultimo.

I shall be glad to help you all I can, especially in using my influence to enduce respectable families from the "old country" to join in your enterprise.

I think when it is explained to them many well to do persons who wish to emigrate will appreciate the advantages which it offers in being associated with pioneers of colonial experience, and they on their part will add to its success by bringing into it a respectable and intelligent element with some pecuniary means which can be employed in so many ways to their own advantage.

I am my dear Sir,

Faithfully yours,

E. CULLIN PARKIN,
Secretary Youg Mens'
Emigration Association.

And the memorialist trusts that you will kindly lend your influence in favour of his proposal in connection with several prominent and influential persons who have already promised to do so in view of the great advantage this proposition would have to the settlement of the new Province of Alberta.

THOS. BARWIS, Lt. Col,
Joint Prothonotary
District of Arthabaska.

Arthabaska, 4th April 1884.